



110TH CONGRESS  
1ST SESSION

# H. R. 3584

To amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP), and for other purposes.

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2007

Mr. BARTON of Texas (for himself, Mr. DEAL of Georgia, Mr. BOEHNER, Mr. SHIMKUS, Mr. WALDEN of Oregon, Mr. SESSIONS, Mrs. MYRICK, Mr. ROHRBACHER, Mr. PUTNAM, Mr. PITTS, Mr. KINGSTON, Mr. MCCAUL of Texas, Mr. PORTER, Mr. LEWIS of Kentucky, Mr. HASTERT, Mr. WESTMORELAND, Mr. PICKERING, Mr. HASTINGS of Washington, Mr. BURGESS, Mr. BLUNT, Mr. HULSHOF, Mr. RADANOVICH, Mr. BAKER, Mr. BUYER, Mr. HALL of Texas, Mr. HAYES, Mr. BARTLETT of Maryland, Mrs. BLACKBURN, Mr. CAMP of Michigan, Mr. STEARNS, Mr. HOEKSTRA, Ms. GRANGER, Mr. MCCOTTER, Mr. PEARCE, Mr. LUCAS, Mr. MICA, Mr. LATOURETTE, Mr. SMITH of Nebraska, Mr. WELLER of Illinois, Mr. TERRY, Mrs. DRAKE, Mr. ADERHOLT, Mr. PRICE of Georgia, Mr. SAM JOHNSON of Texas, Mr. ISSA, Mr. HELLER of Nevada, Mr. SULLIVAN, Mr. ROSKAM, Mr. YOUNG of Alaska, Mr. THORNBERRY, Mr. MANZULLO, Mr. NEUGEBAUER, Mr. REYNOLDS, Mr. ROGERS of Alabama, Mr. NUNES, Mr. BARRETT of South Carolina, Mr. KUHL of New York, Mr. CONAWAY, Mr. SOUDER, Mr. BILBRAY, Mr. GINGREY, Mr. BROWN of South Carolina, Mr. SHUSTER, Mr. BOUSTANY, Mr. WHITFIELD, Mr. KIRK, Mr. LINDER, Mr. MILLER of Florida, Mr. MCCARTHY of California, Mr. SMITH of Texas, Mr. GOHMERT, Mr. CARTER, Mr. MARCHANT, Mr. ROGERS of Michigan, Mr. GALLEGLY, Mr. MCCREY, Mr. GARY G. MILLER of California, Mr. WAMP, Mr. HERGER, Mr. DAVID DAVIS of Tennessee, Mr. CHABOT, Mr. BONNER, Mr. BOOZMAN, Mr. BILIRAKIS, Mr. CALVERT, Mr. WICKER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BUCHANAN, Mr. ALEXANDER, Mr. DREIER, Mrs. McMORRIS RODGERS, Mr. POE, Mr. LATHAM, Mr. COBLE, Mr. CASTLE, Mr. DENT, Mr. PETERSON of Pennsylvania, Ms. ROS-LEHTINEN, Mr. RYAN of Wisconsin, Mr. MCKEON, Mrs. MILLER of Michigan, Mr. DAVIS of Kentucky, Mr. GILCHREST, Mr. GRAVES, Mr. TOM DAVIS of Virginia, Mr. ROGERS of Kentucky, Mr. TIBERI, Mr. HUNTER, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. WALBERG, and Mr. JOHNSON of Illinois) introduced the fol-

lowing bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP), and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "SCHIP Extension Act of 2007".

**SEC. 2. EXTENSION OF SCHIP.**

Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended—

(1) in subsection (a)—

(A) by striking "and" at the end of paragraph (9);

(B) by striking the period at the end of paragraph (10) and inserting a semicolon; and

(C) by adding at the end the following new paragraph:

"(11) for fiscal year 2008, \$5,000,000,000; and

"(12) for the first 6 months of fiscal year 2009, \$2,500,000,000."; and

(2) in subsection (c)(4)(B), by striking “and \$40,000,000 for fiscal year 2007” and inserting “\$40,000,000 for each of fiscal years 2007 and 2008, and \$20,000,000 for the first 6 months of fiscal year 2009”.

**SEC. 3. ADDITIONAL ALLOTMENTS TO ADDRESS SCHIP FUNDING SHORTFALLS FOR FISCAL YEAR 2008 AND FIRST 6 MONTHS OF FISCAL YEAR 2009.**

Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended by adding at the end the following new subsection:

“(i) AMOUNTS TO ELIMINATE FUNDING SHORTFALLS FOR FISCAL YEAR 2008 AND FIRST 6 MONTHS OF FISCAL YEAR 2009.—

“(1) IN GENERAL.—From the amounts appropriated under paragraph (4) for a shortfall period (as defined in paragraph (5)), the Secretary shall allot to each shortfall State described in paragraph (2) for such period such amount as the Secretary determines will eliminate the estimated shortfall described in paragraph (2) for the State for the shortfall period.

“(2) SHORTFALL STATE DESCRIBED.—For purposes of paragraph (1), a shortfall State described

1 in this paragraph for a shortfall period is a State  
2 with a State child health plan approved under this  
3 title for which the Secretary estimates, on the basis  
4 of the most recent data available to the Secretary as  
5 of a date (specified by the Secretary) during the  
6 shortfall period, that the projected Federal expendi-  
7 tures under such plan for the State for the shortfall  
8 period will exceed the sum of—

9 “(A) the amount of the State’s allotments  
10 for the two fiscal years ending before the short-  
11 fall period that will not be expended by the end  
12 of the more recent such fiscal year;

13 “(B) the amount of the State’s allotment  
14 for the shortfall period; and

15 “(C) the amounts, if any, that are to be re-  
16 distributed to the State during the shortfall pe-  
17 riod in accordance with subsection (f).

18 “(3) PRORATION RULE.—If the amount avail-  
19 able under paragraph (4) for a shortfall period is  
20 less than the total amount of the estimated short-  
21 falls determined by the Secretary under paragraph  
22 (1) for such period, the amount of the estimated  
23 shortfall for each shortfall State determined under  
24 such paragraph for such period shall be reduced pro-  
25 portionally.

1           “(4) APPROPRIATION; ALLOTMENT AUTHOR-  
2       ITY.—For the purpose of providing additional allot-  
3       ments to shortfall States under this subsection—

4           “(A) FISCAL YEAR 2008.—For the shortfall  
5       period specified in paragraph (5)(A), there is  
6       appropriated, out of any funds in the Treasury  
7       not otherwise appropriated, such sums as are  
8       necessary for such fiscal year, but not to exceed  
9       \$1,500,000,000.

10          “(B) FIRST 6 MONTHS OF FISCAL YEAR  
11       2009.—For the shortfall period specified in  
12       paragraph (5)(B), there is appropriated, out of  
13       any funds in the Treasury not otherwise appro-  
14       priated, such sums as are necessary for such  
15       period, but not to exceed \$1,100,000,000.

16          “(5) SHORTFALL PERIODS SPECIFIED.—For  
17       purposes of this subsection, each of the following is  
18       a ‘shortfall period’:

19           “(A) Fiscal year 2008.

20           “(B) The first 6 months of fiscal year  
21       2009.”.

1 SEC. 4. OPTION FOR QUALIFYING STATES TO RECEIVE THE  
2 ENHANCED PORTION OF THE SCHIP MATCH-  
3 ING RATE FOR MEDICAID COVERAGE OF CER-  
4 TAIN CHILDREN.

5 Section 2105(g) of the Social Security Act (42 U.S.C.  
6 1397ee(g)) is amended—

7 (1) in paragraph (1)(A), by inserting “subject  
8 to paragraph (4),” after “Notwithstanding any other  
9 provision of law,”; and

10 (2) by adding at the end the following new  
11 paragraph:

12 “(4) OPTION FOR ALLOTMENTS.—

13 “(A) PAYMENT OF ENHANCED PORTION OF  
14 MATCHING RATE FOR CERTAIN EXPENDI-  
15 TURES.—In the case of expenditures described  
16 in subparagraph (B), a qualifying State (as de-  
17 fined in paragraph (2)) may elect to be paid  
18 from the State’s allotment made under section  
19 2104 for any fiscal year (beginning with fiscal  
20 year 2008) (insofar as the allotment is available  
21 to the State under subsections (e) and (i) of  
22 such section) an amount each quarter equal to  
23 the additional amount that would have been  
24 paid to the State under title XIX with respect  
25 to such expenditures if the enhanced FMAP (as  
26 determined under subsection (b)) had been sub-

stituted for the Federal medical assistance percentage (as defined in section 1905(b)).

“(B) EXPENDITURES DESCRIBED.—For purposes of subparagraph (A), the expenditures described in this subparagraph are expenditures made after the date of the enactment of this paragraph and during the period in which funds are available to the qualifying State for use under subparagraph (A), for the provision of medical assistance to individuals residing in the State who are eligible for medical assistance under the State plan under title XIX or under a waiver of such plan and who have not attained age 19, and whose family income equals or exceeds 133 percent of the poverty line but does not exceed the Medicaid applicable income level.”.

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